

URGENT ACTION

STATE OF EMERGENCY IMPOSED AFTER LATEST KILLING

Four people, including one police officer, have been killed and hundreds injured during protests against a planned copper mining project in southern Peru. The authorities imposed a state of emergency in the region following the latest killing on 22 May.

On 22 May street vendor **Ramón Colque** was shot dead after residents tried to block the Southern Pan-American Highway during anti-mining protests in Islay province, Arequipa department, in southern Peru. Three other men, including **Victoriano Huayna**, **Henry Checlla Chura**, and police officer **Alberto Vásquez Durán**, have died as a result of violent clashes and excessive use of force by police during these protests since late April.

Protests against the planned Tía María copper mining project in the Tambo Valley have been ongoing since 23 March. Those opposing the project are concerned that the project will negatively affect the community's access to clean water for agricultural and domestic use. Following a speech by President Ollanta Humala on 15 May explaining why the mining project could not be stopped, the Southern Peru Copper Corporation announced a temporary suspension of the project for 60 days to allow for further dialogue with the affected communities. However, national media have continued reporting serious clashes between police and local residents, including the recent death of Ramón Colque, as well as attacks on journalists and other local media. In response to the ongoing conflict in the area, the government declared a state of emergency in Islay province on 22 May.

Amnesty International recognizes that the state has a duty to maintain public order, apprehend suspects and protect public safety, however police may use force only when strictly necessary and proportionate to a legitimate purpose. Violence from some protesters should not be used to quell the right to peaceful assembly of the majority and authorities should ensure that those who are protesting peacefully are able to continue to do so.

Please write immediately in Spanish or your own language:

- Calling on the authorities to carry out full and impartial investigations into the killings of Victoriano Huayna, Henry Checlla Chura, Alberto Vasquez Duran and Ramón Colque, as well as those injured, and to bring those found responsible to justice;
- Acknowledging that while the state has a duty to maintain public order, it should never use excessive force and must guarantee the right to freedom of peaceful assembly; and to take urgent measures so that the security forces comply in all circumstances with human rights standards on the use of progressive, selective and proportionate force when policing social protests;
- Calling on them to guarantee the rights of all those communities affected by the mining project to participation, information and consultation.

PLEASE SEND APPEALS BEFORE 7 JULY 2015 TO:

President
Ollanta Humala Tasso
Despacho Presidencial, Jirón de la Unión
s/n Primera Cuadra- Cercado de Lima,
Perú
Fax: +511 311 4700
Email: bcamacho@presidencia.gob.pe
secretariageneral@presidencia.gob.pe
Twitter: @Ollanta_HumalaT
Salutation: Mr President /Sr. Presidente

Interior Minister
José Luis Pérez Guadalupe
Ministro del Interior
Ministerio del Interior
Lima, Perú
Tel: +511 418 4030
Email: dm@mininter.gob.pe
Salutation: Dear Minister/Sr. Ministro

Attorney General
Pablo Sánchez Velarde
Fiscal de la Nación (i)
Ministerio Público
Fiscalía de la Nación
Lima, Perú
Tel: +511 625 5555 or 208 5555
Email: psanchez@mpfn.gob.pe
Salutation: Dear Attorney General/Sr. Fiscal de la Nación

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 109/15. Further information:

www.amnesty.org/en/documents/AMR46/1681/2015/en/

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ADDITIONAL INFORMATION

The conflict surrounding the Tía María mining project is not new. Since the Southern Peru Copper Corporation (SPCC) mining company started the exploration phase in 2006, the affected communities have been raising concerns of the impact of the mining activities on the community's access to clean water for agricultural and domestic use, due to the risks of pollution and the high amount of water the mining project will require for copper extraction. On 7 April 2011, following anti-mining protests against the project, three people were killed in clashes with the security forces, and the military was deployed in the area.

The tension has increased since August 2014 when the Ministry of Energy and Mines approved the second version of the Environmental Impact Assessment (EIA) report presented by the company. The first EIA was rejected by the Ministry of Energy and Mines in 2011 following an analysis by the United Nations Office for Project Services which raised, amongst others, concerns about the lack of adequate consultation with the affected communities, the lack of evaluation of the impact on the area, including economic impact and how it will affect nearby roads, and the lack of contingency plans in case of environmental emergencies.

Although the authorities claimed that all these issues have been addressed in the second version of the EIA, those opposing the Tía María project have expressed their concerns that the assessment has not taken into account the views of independent experts and that there has not been an adequate and meaningful consultation with the affected communities.

Amnesty International has previously highlighted to the Peruvian authorities how the security forces have repeatedly deployed excessive use of force against protesters, often with deadly consequences. In the past four years alone, almost 40 people have died in circumstances where it appears the police used excessive force.

The overwhelming majority of these cases have yet to be investigated. On 29 April, in response to a letter Amnesty International sent in January 2015, Peru's Public Prosecutor's Office said there were only two open investigations into the deaths of two individuals allegedly caused by excessive use of police force during previous protests. This covers only one person from the list of almost 40 names Amnesty International supplied to the Public Prosecutor.

In April a video showing police officers planting "evidence" in an attempt to frame some of the protesters was published and circulated on social media. The authorities deployed the armed forces on 9 May to the area.

Name: Victoriano Huayna (m), Henry Checcla Chura (m), Alberto Vasquez Duran (m), Ramón Colque (m) and those injured during anti-mining protests in Peru
Gender m/f: both

Further information on UA: 109/15 Index: AMR 46/1733/2015 Issue Date: 26 May 2015